



DEPARTMENT OF AGRICULTURE  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20250

April 22, 1997

**SECRETARY'S MEMORANDUM**

**Civil Rights Update For All USDA Employees**

In late February, I directed the Department of Agriculture (USDA) to move forward immediately with the recommendations of the Civil Rights Action Team (CRAT). I also said I would keep you informed of its progress, and our progress as a Department, toward an environment in which every employee and customer is treated fairly and equitably, with dignity and respect.

We now have a Civil Rights Implementation Team in place to lead USDA's civil rights transformation. They are a very capable group of public servants who reflect the diversity of our workforce and the people we serve. All employees should help and support its work in every way we can. No matter where you work at USDA, as an employee of "the people's department," civil rights should rank among your highest priorities.

**USDA Is Working Quickly Through The Backlog In Civil Rights Complaints**

The new Civil Rights Division, under the leadership of Lloyd Wright, is in high gear working to eliminate the backlog of program discrimination and equal employment opportunity complaints.

All cases will be handled in one of three ways.

1. Cases that are deemed suitable for dismissal will be dismissed.
2. Cases with incomplete investigations will be mediated, settled, or assigned for completion of investigation.
3. Cases that are deemed to have possible cause will be settled or decided.

All complaints that can be resolved will be resolved by June 6, 1997.

We are also streamlining the future complaints process. A comprehensive strategy will be completed by June 30, 1997. Already, we are merging all civil rights information into a centralized database. This will help us clear many of the bureaucratic hurdles to speedy resolutions of civil rights complaints.

## **USDA Settles Two Program Discrimination Complaints**

As you may have read in the newspapers, USDA has agreed to two major financial settlements with farmers who were discriminated against by the former Farmers Home Administration. These settlements underscore my commitment that USDA stands ready to resolve, quickly and fairly, legitimate civil rights complaints.

## **Foreclosures Delayed Until Discrimination Complaints Investigated**

This week, USDA released two notices to clarify procedures regarding the handling of foreclosures and loan applications, especially when discrimination complaints are pending. One notice directs field offices to halt any adverse actions, including foreclosures, on accounts when written discrimination complaints are pending. This includes the first step of calling loans due. An independent team will review the allegations and determine whether there are inconsistencies in program delivery and whether discrimination is a factor. The foreclosure will not proceed until this review is completed.

Employees should be aware that this is a more stringent civil rights protection measure than we have had in the past. Prior to this notice, only the final step--the foreclosure sale--was halted for a civil rights review. This new policy freezes the foreclosure process, at whatever stage it is in, until charges of discrimination can be heard by an independent review team.

The other notice further clarifies that loan processing should proceed on accounts when a discrimination complaint is pending. If the employee responsible for processing the loan is the person facing charges of discrimination against the applicant, then another FSA loan officer must process the application. When loans cannot be approved, the applicant must be advised, both in a meeting and in writing, to explain why the loan application was denied.

## **Legislative Package Being Drafted**

Thirteen of the 92 CRAT recommendations will require funding or legislative changes. Congresswoman Eva Clayton (D-NC), a ranking member of the House Agriculture Committee, has requested USDA's assistance in drafting an omnibus bill to deal with all 13 recommendations in the current session of Congress. In addition, legislative packages will be prepared by each of the Civil Rights Implementation Teams dealing with recommendations that require legislation. Work is already underway by several of the teams to identify what will be needed to effect legislative change.

**Office Of The General Counsel Civil Rights Unit Being Formed**

The Office of the General Counsel (OGC) has taken initial steps to implement the CRAT recommendation to establish a separate division for civil rights. I have signed a decision memorandum authorizing OGC to establish the division. In addition, the Civil Rights Implementation Team is developing and executing a project plan to ensure, as the CRAT recommended, that OGC delivers effective civil rights legal services with a staff of lawyers who are committed to civil rights in USDA, specialize in civil rights law, and are thoroughly trained; and that the division is headed by an Assistant General Counsel whose only function is to supervise the provision of legal services related to civil rights.

**Ensuring Leadership Support For Civil Rights**

Last but not least, strong support for civil rights will be a key criterion in my selection of USDA leadership, including the next administrator of the Farm Service Agency, the next undersecretary for the Farm and Foreign Agricultural Services mission area, and all other subcabinet and leadership posts currently vacant.

I applaud the efforts of the Civil Rights Implementation Team and all USDA employees who are working hard to improve the civil rights record of this Department. We have made substantial progress. With a strong commitment to civil rights throughout our ranks, we will continue to move quickly to accomplish even more.

Sincerely,

/s/ Dan Glickman

DAN GLICKMAN  
Secretary